

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MERRICK JOSE MOORE,

Plaintiff, 2:04-cv-0763-GEB-KJM-P

VS.

S. SALENGER, et al.,

Defendants. ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

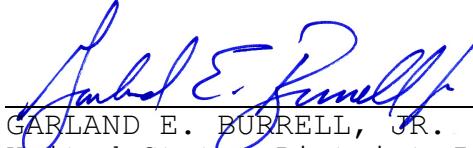
On January 22, 2008, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

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- 1 1. The findings and recommendations filed January 22, 2008, are adopted in full;
- 2 2. Defendant Sloss's April 16, 2007 motion to dismiss is denied;
- 3 3. Defendant Sloss's motion that this action be stayed pending the outcome of
- 4 CIV-S-04-0871 MCE EFB is granted;
- 5 4. This action is stayed;
- 6 5. The parties are directed to inform the court within ten days of the entry of final
- 7 judgment in CIV-S-04-0871 MCE EFB; and
- 8 6. The Clerk of the Court is directed to administratively close this case.

9 Dated: March 12, 2008

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12 GARLAND E. BURRELL, JR.
13 United States District Judge